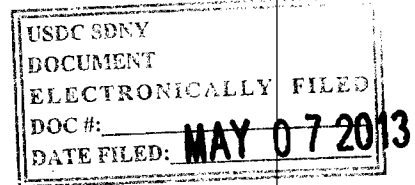


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
MICHAEL RAY JOHNSON JUNIOR,

Plaintiff,

-against-

POLICE OFFICER MICHAEL, et al.,

Defendants.
-----X

12 Civ. 4070 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Pursuant to 28 U.S.C. § 636(b)(1), a district court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” The district court reviews a magistrate judge’s report “strictly for clear error when no objection has been made.” *Coach, Inc v. O’Brien*, No. 10 Civ. 6071, 2012 WL 1255276, at * 1 (S.D.N.Y. Apr. 13, 2012) (citation omitted). Applying that standard, and upon review of the history of this case, the Court adopts the Report and Recommendation of Magistrate Judge Pitman recommending that this action be dismissed *sua sponte* on the ground that Plaintiff has not completed service of the summons and complaint within the time permitted by Rule 4(m).

The Report and Recommendation is hereby adopted, this case is hereby DISMISSED *sua sponte*, and the Clerk of Court is directed to close this case.

SO ORDERED.

Dated: New York, New York
May 3, 2013

A handwritten signature in black ink, appearing to read "J. Paul Oetken", written over a horizontal line.

J. PAUL OETKEN
United States District Judge

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